

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41191 of 2022

Arising Out of PS. Case No.-60 Year-2020 Thana- AGION (GARHANI) District- Bhojpur

RAMESHWAR SINGH @ RAMESHWAR YADAV Son of Jugal Yadav
Resident of Village - Rampur, P.S.- Agiaon (G), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Agiaon
(G) P.S. Case No. 60 of 2020 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, 500
litres of mahua java was recovered and destroyed thereof.

Learned counsel appearing on behalf of the petitioner
submitted that alleged illicit mahua java was recovered from an



open place as local canal, which is accessible by general public and, as such, it cannot be said to be recovered from the physical possession of the petitioner, who is a man of clean antecedent. It has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was made from an open place, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Agiaon (G) P.S. Case No. 60 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Bhojpur at Ara/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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